

CLAY COUNTY BOARD OF COMMISSIONERS

Tuesday, October 11, 2016

8:30 a.m.

County Board Room – 3rd Floor – Courthouse

MINUTES

The Clay County Board of Commissioners met in regular session with the following Commissioners present: Frank Gross, Wayne Ingersoll, Jenny Mongeau, Kevin Campbell and Grant Weyland. Brian C. Berg, County Administrator; Jenny Samarzja, Chief Assistant County Attorney; and Colleen Eck, Sr. Administrative Assistant, were also present.

APPROVAL OF AGENDA

On motion by Mongeau, seconded by Weyland, and unanimously carried, the agenda was approved.

CITIZENS TO BE HEARD

There were no citizens who wished to address the Board.

APPROVAL OF PAYMENT OF BILLS AND VOUCHERS

On motion by Campbell, seconded by Ingersoll, and unanimously carried, the bills and vouchers were approved for payment.

APPROVAL OF MINUTES OF SEPTEMBER 20, 2016

On motion by Ingersoll, seconded by Mongeau, and unanimously carried, the minutes of September 20, 2016 were approved.

CONSIDERATION FOR AMENDMENT TO COUNTY MINNESOTA GOVERNMENT DATA PRACTICES ACT POLICY

Assistant County Attorney Jenny Samarzja presented data related to a recent inquiry for the County Data Practices Act. A small committee recently met to review the County's current version, from 1990, which needs updating. The three policies are Data Practices for the Public, Data Practices for an Individual, and Data Inventories. The inventories have now been reformatted and updated, and department heads have been asked to update the responsible authorities and designees for their departments. From here on out, the policy documents will be updated on a regular basis by the Assistant County Attorney and Human Resource Director.

On motion by Weyland, seconded by Ingersoll, and unanimously carried, the Board approved the updated and reformatted County Data Practices for the Public, Data Practices for an Individual, and Data Inventories.

REQUEST TO FILL VACATED FTE POSITION FOR SOLID WASTE TRUCK DRIVER

Solid Waste Director Kirk Rosenberger presented a request to fill a vacated position for a FTE truck driver at the landfill at Grade 11, Step 1, \$16.95/hour.

On motion by Campbell, seconded by Weyland, and unanimously carried, the Board approved filling a vacated position for a FTE landfill truck driver.

CONSIDERATION FOR AMENDMENT TO ARCHITECT CONTRACT WITH KLEIN MCCARTHY TO INCLUDE LAW ENFORCEMENT CENTER

County Administrator Brian C. Berg provided a spreadsheet for the acquisition of the 23 homes north of the courthouse. All closings have been completed and final demo will occur after the last three homes are abated for asbestos materials. The Sheriff Department's garage and the outdoor exercise area are being demolished along with the remaining homes. The County is looking at buying an option for Right of First Refusal for the two homes on the two-block area that were not purchased. Klein McCarthy Architects (KMA) Architects will bring the final bid tabulations to the October 25 County Board meeting. The shift is now toward completing the schematics for the Law Enforcement Center and amending the document AIA document G802-2007 to include the law enforcement center. There was a suggestion to also change the word jail to correctional facility for consistency.

Commissioner Mongeau voiced concern about allowing citizens an opportunity to have their voices heard on the sales tax measure on the November 8 ballot before having this document amended. Commissioner Campbell felt the board has already committed to doing both projects following a considerable amount of discussion. As part of the current plan, eliminating the old law enforcement building is required for the layout of the new overall plan. Campbell commented that KMA has done a good job applying the most cost effective methods for a new Law Enforcement Center. He believes the public will be in support of it. Berg noted that it's tough for KMA to do anything further until we get this portion of the project under contract.

On motion by Campbell, seconded by Weyland, and carried with one nay vote (Mongeau), the Board approved amending Klein McCarthy Architects Professional Services Agreement to include the design services for the Law Enforcement Center.

Berg asked the Board to also approve a change order of .25% to the Construction Engineers, Inc. contract to add the Law Enforcement Center.

On motion by Weyland, seconded by Campbell, and carried with one nay vote (Mongeau), the Board approved a change order of .25% to the Construction Engineers contract to add the Law Enforcement Center.

APPROVE AUTHORIZATION TO ADVERTISE VACATED POSITION FOR BUFFALO-RED RIVER WATERSHED DISTRICT BOARD OF MANAGERS

County Administrator Brian C. Berg referred to a letter from Breanna Kobiela, resigning her position as a member of the Buffalo-Red River Watershed District (BRRWD) Board of Managers.

On motion by Ingersoll, seconded by Mongeau, and unanimously carried, the Board approved advertising for an open position for the BRRWD Board of Managers.

REAPPOINT COUNTY ASSESSOR NANCY GUNDERSON TO NEW FOUR-YEAR TERM OF OFFICE

County Administrator Brian C. Berg referenced a memo from Assessor Nancy Gunderson to be reappointed for another four-year term. Berg commented that Gunderson has done a tremendous job. Commissioner Gross added that she has been accurate, thorough, and timely in her work for the County.

On motion by Ingersoll, seconded by Weyland, and unanimously carried, the Board approved reappointing Nancy Gunderson to another four-year term as County Assessor.

COMMITTEE REPORTS/COUNTY ADMINISTRATOR UPDATE/DISCUSSIONS

- Commissioner Campbell attended meetings for FM Diversion (discussion of legal issues) and Clay County Joint Powers (presentation: Community Emergency Response Team (CERT) given by Lt. Bryan Green).
- Commissioner Mongeau attended a meeting for Joint Powers (CERT presentation, upcoming retreat and Dilworth's budget increase).
- Commissioner Weyland attended a closed session for FM Diversion Authority.
- Commissioner Ingersoll attended meetings for Moorhead Planning Commission and Local Advisory Council for Children's Mental Health (presentation by Amy Amundson, mobile crisis unit)
- Commissioner Gross attended meetings for Highway Tracking and Partnership for Health (election of officers, funding for dental program, and e-cigarettes)
- County Administrator Brian C. Berg attended the following meetings over the last two weeks: P3 Project Scoring; interviews; Solid Waste fees; Highway Tracking; Data Practice Act Policy; manager evaluations; conference call for FM Diversion; two home closings, closed session for FM Diversion Board; FM Diversion Advisory Committee; personnel requests; an issue at Lake 15; Juvenile Detention (space issues); and a Variance hearing for the corrections facility.
- Commissioner Campbell noted that the projected cost for the home buyouts north of the courthouse was \$3 million. That project is now completed, thanks to Samarzja,

Magnusson, and Berg who have worked very hard and stayed on budget. Berg commented that lots of time has also gone into educating the public on the project.

ADJOURN

The meeting adjourned at 9:20 a.m.

Frank Gross, Chair
Clay County Board of Commissioners

Brian C. Berg, County Administrator